

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Civil No. 09-278-PB</b>
	)	
<b>One 2000 blue Ford Expedition, NH Registration)</b>	)	
<b>2644337, VIN 1FMPU18L2YLA85064,</b>	)	
<b>registered to Derek Dutcher,</b>	)	
	)	
<b>Defendant-in-rem.</b>	)	
	)	

**FINAL ORDER OF FORFEITURE**

1. This action in rem was brought on August 12, 2009.
  
2. On August 19, 2009, the United States served a copy of the Verified Complaint, along with the Notice of Forfeiture Complaint, Summons and Warrant of Arrest in Rem, and ECF Notice on Derek Dutcher and Nicholas Champagne.
  
3. A legal notice of this action in rem was posted on an official government internet site ([www.forfeiture.gov](http://www.forfeiture.gov)) for at least 30 consecutive days, beginning on August 19, 2009. Claims based on notice by publication were due no later than October 19, 2009, as to the official government internet site.
  
4. Claims by Derek Dutcher and Nicholas Champagne were due on September 23, 2009. No claims have been filed by, or on behalf of, Derek Dutcher and Nicholas Champagne.
  
5. No other claimant has come forward to claim the defendant-in-rem One blue 2000 Ford Expedition, NH Registration 2644337, VIN 1FMPU18L2YLA85064, registered to Derek Dutcher. The deadlines for filing any and all claims have elapsed.

6. The United States has established in the Verified Complaint for Forfeiture In Rem probable cause to believe that the defendant-in-rem One blue 2000 Ford Expedition, NH Registration 2644337, VIN 1FMPU18L2YLA85064, registered to Derek Dutcher, is a conveyance which was used, or intended for use, to transport, and in any manner to facilitate the transportation, sale, receipt, possession, and concealment of controlled substances, and is subject to forfeiture to the United States for its use pursuant to 21 U.S.C. § 881(a)(4).

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

A. That all right, title and interest to the defendant-in-rem One blue 2000 Ford Expedition, NH Registration 2644337, VIN 1FMPU18L2YLA85064, registered to Derek Dutcher, is hereby condemned, forfeited and vested in the United States of America pursuant to 21 U.S.C. § 881(a)(4), free from the claims of any other party.

B. That the defendant-in-rem One blue 2000 Ford Expedition, NH Registration 2644337, VIN 1FMPU18L2YLA85064, registered to Derek Dutcher, shall be disposed of by the United States Marshals Service (USMS) in accordance with the applicable law and regulations, from which amount the USMS shall deduct its costs related to this proceeding. The proceeds, less any costs to the USMS pertaining to the defendant-in-rem property, shall be forfeited to the United States, pursuant to 21 U.S.C. § 881(a)(4), free from the claims of any other party, and the proceeds shall be deposited into the Department of Justice Asset Forfeiture Fund in accordance with Title 28, United States Code, Section 524(c) and Title 21, U.S.C. § 881(e).

The Clerk is hereby directed to send two certified copies of this Order to the United States Marshals Service and a copy to United States Attorney's Office, Attention: Assistant U.S. Attorney Robert J. Rabuck.

Dated: October 27, 2009

/s/ Paul Barbadoro  
UNITED STATES DISTRICT JUDGE